

J. E. CALDWELL.

JANUARY 26, 1904.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. CALDWELL, from the Committee on War Claims, submitted the following

REPORT.

[To accompany H. Res. No. 178.]

The Committee on War Claims, to whom was referred the bill (H. R. 6068) for the relief of J. E. Caldwell, submit the following report:

The evidence offered in support of this claim is in the form of ex parte affidavits, and your committee have no opportunity of subjecting the witnesses to a cross-examination, and are therefore of the opinion that this claim should be referred to the Court of Claims, where depositions can be taken in the usual manner prescribed by law, counsel for the Government and for the claimant having the right to cross-examine the witnesses making such depositions, and when the facts shall have been determined by the court upon the legal testimony thus taken and submitted, said facts to be reported to Congress for its consideration; and report herewith a resolution to that effect and recommend its adoption.

[H. Res. No. 178, in lieu of H. R. 6068.]

Resolved, That the bill (H. R. 6068) for the relief of J. E. Caldwell, with all the accompanying papers be, and the same is hereby, referred to the Court of Claims for a finding of facts under the terms of the act of March third, eighteen hundred and eighty-seven, and generally known as the Tucker Act.

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